

Fed.R.Civ.P. 15(a)(2).

## DISCUSSION

Plaintiff Pamela Fulbright (“Plaintiff” or “Fulbright”), appearing *pro se*, initiated this action with the filing of a “Complaint For Employment Discrimination” (Document No. 1) on June 5, 2018. In response to the Complaint, Defendants DataStaff, Inc. (“DataStaff”), Stephanie Shumate (“Shumate”), Keith Ricks (“Ricks”), and Glynda Mealer (“Mealer”) (together “Defendants”) filed the pending “Defendants’ Motion To Dismiss” (Document No. 6) on June 27, 2018, pursuant to Fed.R.Civ.P. 12(b)(1), 12(b)(4), 12(b)(5), and 12(b)(6). On June 28, 2018, *pro se* Plaintiff timely filed her “Amended Complaint For Employment Discrimination” (Document No. 9) (the “Amended Complaint”) as a matter of course. See Fed.R.Civ.P. 15(a)(1).

Plaintiff’s Amended Complaint supersedes the original Complaint. Therefore, the undersigned will direct “Defendants’ Motion To Dismiss” (Document No. 6) be denied as moot. Defendants may file a renewed motion to dismiss the Amended Complaint, if appropriate.

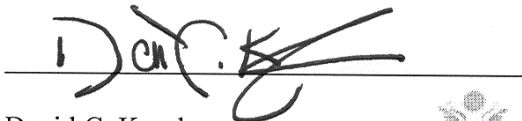
It is well settled that a timely-filed amended pleading supersedes the original pleading, and that motions directed at superseded pleadings may be denied as moot. Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001) (“The general rule ... is that an amended pleading supersedes the original pleading, rendering the original pleading of no effect.”); see also, Fawzy v. Wauquiez Boats SNC, 873 F.3d 451, 455 (4th Cir. 2017) (“Because a properly filed amended complaint supersedes the original one and becomes the operative complaint in the case, it renders the original complaint ‘of no effect.’”); Colin v. Marconi Commerce Systems Employees’ Retirement Plan, 335 F.Supp.2d 590, 614 (M.D.N.C. 2004) (“Earlier motions made by Defendants were filed prior to and have been rendered moot by Plaintiffs’ filing of the Second Amended Complaint”); Brown v. Sikora and Associates, Inc., 311 Fed.Appx. 568, 572 (4th Cir. Apr. 16,

2008); and Atlantic Skanska, Inc. v. City of Charlotte, 3:07-CV-266-FDW, 2007 WL 3224985 at \*4 (W.D.N.C. Oct. 30, 2007).

### **CONCLUSION**

**IT IS, THEREFORE, ORDERED** that “Defendants’ Motion To Dismiss” (Document No. 6) is **DENIED AS MOOT**.

Signed: July 5, 2018

A handwritten signature in black ink, appearing to read "D.C. Keesler", is written over a horizontal line.

David C. Keesler  
United States Magistrate Judge

